

DEFAULT ACTION COVER SHEET - A

Anyone seeking a judgment on a collection must complete and sign this sheet. The sheet must accompany the pleading.

1. Is suit on file? _____ (must file)
2. Is affidavit of default prepared and filed? _____ (must prepare and file)
3. Was any partial payment made on the debt? _____ Has the partial payment been credited? _____
4. Was collateral involved in the transaction? _____
5. Please state the original value of collateral. _____
6. Was the collateral repossessed? _____ Was the collateral sold? _____
7. What proceeds resulted from the sale of the collateral? _____
8. Have the proceeds been credited against the debt? _____
9. Are you requesting pre-judgment interest? _____ Please state the amount and rate. Amount _____ rate _____ Please include Forms #1 and #5, or Form #9alt.(or their equivalents).
10. Is this an open account collection? _____ If yes, interest is limited to ten percent. (Category B, SDCL 54-3-16, as established by *Scotland, etc. v. ABA, etc.*, 583 N.W.2d 834 (SD 1998)).
11. Are you requesting attorney fees? _____ If so, please state the amount _____. Was an attorney used in the prosecution of this claim? _____ Please include form #1 and #4 or their equivalents. **ONLY REGULATED LENDERS AS DEFINED BY SDCL 54-3-14 MAY COLLECT ATTORNEYS FEES.** (SEE SDCL 15-17-39 AND SDCL 54-3-13.) Are you a regulated lender? _____ Please state type of lender or assignment. _____
_____.
12. If using this cover sheet, procedure requires that disbursements, interest and attorney fees must be taxed separately and may not be included in the proposed judgment.

Dated _____ Plaintiff or attorney _____

(2nd Circuit Default Judgment form #6A, August, 2004)